

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA,	:	Case No. 3:12CV193
Plaintiff	:	Judge Walter Herbert Rice
v.	:	
\$5,647.00 in U.S. Currency,	:	
Defendant.	:	

AGREED ORDER AND DECREE OF FORFEITURE

It is hereby stipulated and AGREED by and between Plaintiff, United States of America and Claimant, DAVID JOHNSON by and through his Counsel, Jay Adams, that:

- (1) of the Defendant \$5,647.00 in United States Currency, the amount of \$3,147.00 shall be forfeited to the United States pursuant to 21 U.S.C § 881(a)(6); and the amount of \$2,500.00 shall be returned to Claimant, DAVID JOHNSON through his attorney, Jay Adams;
- (2) Claimant, DAVID JOHNSON, understands that notwithstanding the United States' agreement to return \$2,500.00, the Federal Debt Collection Act of 1996, 31 U.S.C. §3716, and the Treasury Offset Program (TOP) require federal disbursing officials to offset federal payments to collect certain delinquent debts owed to the United States, and certain delinquent debts owed to states, including past-due child support enforced by states; thus the \$2,500.00 shall be returned to the claimant, less any debt owed to the United States, any agency of the United States, or any other debt which the United States is required to collect.
- (3) Potential Claimant, DAVID JOHNSON shall release any and all claims which he may have against the Plaintiff, its agencies, and/or employees as well as local law enforcement agencies and their employees, arising out of the facts giving rise to this forfeiture action;
- (4) the parties shall bear their own costs, including any possible attorneys' fees, court costs, or other expenses of litigation; and
- (5) the Court will retain jurisdiction to enforce the terms of this Agreement; and

THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

- (1) of the Defendant \$5,647.00 in United States Currency the amount of \$3,147.00 is hereby forfeited to the United States pursuant to 21 U.S.C. § 881(a)(6);
- (2) the amount of \$2,500.00 shall be returned to Claimant, DAVID JOHNSON, through his attorney Jay Adams, less any debt owed to the United States, any agency of the United States, or any other debt which the United States is required to collect;
- (3) any and all claims which Claimant, DAVID JOHNSON, may have against the Plaintiff, its agencies, and/or employees as well as local law enforcement agencies and their employees, arising out of the facts giving rise to this forfeiture action are hereby RELEASED;
- (4) the parties shall bear their own costs, including any possible attorneys' fees, court costs, or other expenses of litigation;
- (5) the Court will retain jurisdiction to enforce the terms of this Agreement; and
- (6) this case is hereby TERMINATED on the docket.



WALTER HERBERT RICE
UNITED STATES DISTRICT COURT JUDGE

CARTER M. STEWART
United States Attorney

s/Pamela M. Stanek
Assistant United States Attorney

s/Jay Adams per telephone authorization 4/5/13
JAY ADAMS(0072135)
Attorney for Claimant DAVID JOHNSON